UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

FILED BY CWC D.C.

FEB 19 2025

ANGELA E. NOBLE CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. LAUD.

JULIENNE LUBIN,

Plaintiff,

V.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS),
U.S. ATTORNEY GENERAL, and
U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA,

Defendants.

Case No	•	

COMPLAINT FOR WRIT OF MANDAMUS

INTRODUCTION

JURISDICTION AND VENUE

2. This Court has jurisdiction under federal law because Plaintiff's claims involve a federal agency that has failed to take action on her case within a reasonable time.

PARTIES

- 5. Defendant USCIS is responsible for processing immigration applications, including Plaintiff's.
- 6. Defendant U.S. Attorney General oversees USCIS.

CASE HISTORY

- 8. Plaintiff filed her application for permanent residency on October 21, 2021.
- 9. She completed an interview at the USCIS Oakland Park Field Office on February 9, 2022, and was told to expect a decision in a few months. However, more than three years later, no decision has been made.

I have repeatedly contacted USCIS through service requests and expedite requests, including:

- January 27, 2025: Service Request #37274787
- January 15, 2025: Expedite Request #37101338
- October 28, 2024: Service Request #36011712

- December 27, 2023: Service Request for Receipt #IOE-09-139-55868
- September 24, 2023: Service Request for Receipt #IOE-09-139-55868
 - May 10, 2023: Service Request #28304783
- 11. In an effort to resolve the delay, Plaintiff sought assistance from Congresswoman Sheila Cherfilus-McCormick's office on February 3, 2025.
- 12. On January 31, 2025, Plaintiff filed a complaint with the CIS Ombudsman (Request #20250149112) to escalate the case.

HOW THE DELAY HAS AFFECTED PLAINTIFF

- 13. The delay in processing Plaintiff's case has caused significant hardship, including:
- Being unable to travel with her son to The Bahamas so he can visit his late father's grave.
- Delaying the purchase of a home because of uncertainty about her immigration status.
- Missing the opportunity to visit her father, whose health is declining rapidly.
- Inability to handle probate matters in The Bahamas for her son to receive his rightful inheritance.
- Being forced to pay \$680 for an emergency travel document in April 2024 to take her son to his father's funeral after he was tragically murdered.
- Ongoing emotional stress, anxiety, and financial uncertainty due to the delay.

WHY COURT INTERVENTION IS NECESSARY

- 14. USCIS is legally required to process applications within a reasonable time under the Administrative Procedure Act.
- 15. The Oakland Park Field Office's processing time for cases like Plaintiff's is 25.5 months, but her case has been pending much longer, making this delay unreasonable.

WHAT PLAINTIFF REQUESTS

I respectfully request that this Court:

- Order USCIS to immediately process and adjudicate her pending applications.
- Grant any additional relief that the Court finds appropriate.

Case 0:25-cv-60327-MD Document 1 Entered on FLSD Docket 02/19/2025 Page 3 of 21 Respectfully submitted,

Miljenne Lubin, Pro Se

3610 NW 21st Street, Apt 114

Lauderdale Lakes, FL 33311

Phone: 754-308-9677

Date: 02/14/2025



Receipt Number 0:25-CV-60327- IOE0913955868	094360030953 Enter	1485- AFFLEATION TO REDISTER FERMANER PRESIDENCE OR
e de la compansión de la c		ADJUST STATUS
Received Date 10/21/2021	Priority Date 10/21/2021	Applicant A231 524 754 JULIENNE LUBIN
Notice Date 10/26/2021	Page 1 of 1	

LUBIN, JULIENNE c/o JULIENNE LUBIN 2933 NW 56TH AVE APT A2 LAUDERHILL FL 33313

Notice Type: USCIS Account Access

Notice

Online Access Code: FC984-E3E4-75C4F

Welcome to USCIS!

Thank you for your recent submission. We have created a USCIS Online Account for you. With this account you can:

- check the status of your case.
- sign up to receive email notifications and text messages.
- manage your account preferences and contact information.

Log on and confirm your account within 90 days.

To access your account, please follow the steps below:

- 1. Visit us online at https://my.uscis.gov/account
- Select "Create a new account" on the right side of the screen, and follow the on-screen instructions for creating a new account in order to login to the system.
- 3. Select "Add a paper-filed case."
- 4. Enter your "USCIS case receipt number" and select "Add case."
- 5. Enter your "Online Access Code" (found on the upper right side of this notice) and your "Date of birth" in the fields provided.
- 6. Select "Confirm case."

NOTE: Your Online Access Code will expire 90 days from the receipt date listed at the top of this letter. We will continue processing your application regardless of whether you access your USCIS Online Account. We strongly encourage you to confirm your USCIS Online Account as soon as possible and then use it in the future as your preferred method for interacting with USCIS. If you do not access your account before your code expires and you wish to access your account, you will need to request that we reset your access code. If you have questions about how to confirm your USCIS Online Account or to request that we reset your access code, please visit the USCIS Contact Center at uscis.gov/contactcenter.

Please see the additional information on the back. We will notify you separately about any other cases you have filed

National Benefits Center
U. S. CITIZENSHIP & IMMIGRATION SVC
P.O. BOX 25920
Overland Park KS 66225



USCIS Contact Center: www.uscis.gov/contactcenter



Department of Homeland Scenrity U.S. Crtizenship and Immigration Services

Form 1-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

MOTICE TYPE		NOTICE DATE
Recipi		October 23, 2021
CASE TYPE	###	USCIS ALIEN NUMBER
1-765. Application for Emplo	ovment Authorization	
RECOURT NUMBER	RECEIVED DATE	PAGE
IOE(0913955870	October 21, 2021	1 of 1
		DATE OF EINTH
		LAncid 06, 1989

PAYMENT INFORMATION:

JULIENNE LUBIN C/O JULIENNE LUBIN 2933 NW 50TH AVE APT A2 LAUDERHILL FL 33313

\$41,00 Application/Petition Fee: Total Amount Received: \$0.00 Total Balance Duca \$0.00

Մինյակակն իրը վիրդական անիկանայի անիկանության այդ

NAME AND MAILING ADDRESS

Eligibility Category: C09

We have received your form and are currently processing the above case. If this notice contains a priority date, this priority does not reflect earlier retained priority dates. We will notify you separately about any other case you filed.

If we determine you must submit biometries, we will mail you a biometries appointment notice with the time and place of your appointment.

If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at users gov/contactcenter to connect with a live USCIS representative in English or Spanish

This notice, by itself, does not grant any immigration status or benefit, nor is it evidence that this case is still pending. Flowever, this Notice of Action automatically extends the validity of your Employment Authorization Document (EAD) for up to 180 days from the expiration date printed on the front of the eard and can be used for employment eligibility verification (Form 1-9) purposes if

- You have timely filed to renew your current Form 1-766, Employment Authorization Document (EAD);
- Your EAD renewal is under a category that is eligible for an automatic 180-day extension (see <u>users sur/t-765</u> for a list of categories).
- The category on your current EAD matches the "Class Requested" listed on this notice (it you are a TPS beneficiary or applicant, your
- EAD and this notice inust contain either the A12 or C19 category, but they do not need to match each other), and
 - You do not receive your renewal EAD before your current EAD expires

If we dany your renewal application, the automatic extension immediately ends and cannot be used for Form I-9 purposes. If your EAD is a comboeard, the automatic extension does not apply to advance parole.

If we have approved or are still processing your underlying form 1-140 and your Form 1-185 has been pending for at least 180 days, you may request to change employers under INA 204(j) For more information on this process, please visit uscis gov/c-185sapi.

USCIS Office Address:

USCIS National Benefits Center P.O. Box 648003 Lee's Summit, MO 64002 **USCIS Contact Center Number:**

(800)375-5283



Department of Homeland Security U.S. Citizenship and Immigration Services

Form 1-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

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10F(01)055869	RECEIVED DATE OUTOber 24, 2021	PAGE 1 Of 1	
<u> </u>	PREFERENCE CLASSIFICATION 201 B INA SPOUSE OF USC	Appl 09, 1988	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
JOSUE E LU 2933 NW 501 LAUDERHILL	TH AVE APT A2	PAVAIENT INFORMATION: Application/Pefition Fee: \$595.06 Total Amount Received: \$535.00 Total Bulmer Due: \$0.00	

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APPLICANT/PETITIONER NAME AND MAILING ADDRESS

We have received your form and are currently processing the above case for the following beneficiaries:

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18776883

If this notice contains a priority date, this priority does not reflect earlier retained priority dates. We will notify you separately about any other case you filed

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USCIS Office Address:

USCIS National Benefits Center PO Box 648003 Lec's Summit MO 64002 **USCIS Contact Center Number:**

(800)375-5283 APPLICANT COPY









On 09/21/2023, you or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

-- Applicant or Petitioner

Attorney Name:

-- Information not available

Case type:

-- 1485

Filing date:

-- 10/21/2021

Receipt #:

-- IOE-09-139-55868

Referral ID:

T1B26423057640KL

Beneficiary (if you filed for someone else):

-- Information not available

Your USCIS Account Number (A-number):

-- 231524754

Type of service requested:

-- Outside Normal Processing Times

The status of this service request is:

Thank you for contacting USCIS concerning the above-referenced application. Below is a summary of what we have found.

We are waiting for the results of the required security checks on your case before we can continue our



Attorney Name:

-- Information not available

Case type:

-- 1485

Filing date:

-- 10/21/2021

Receipt #:

-- IOE-09-139-55868

Referral ID:

T1B36023036670KL

Beneficiary (if you filed for someone else):

-- Information not available

Your USCIS Account Number (A-number):

-- 231524754

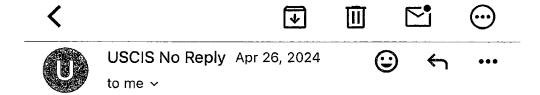
Type of service requested:

-- Outside Normal Processing Times

The status of this service request is:

Thank you for contacting USCIS concerning the above-referenced application. Below is a summary of what we have found.

Due to workload factors not related to your application, USCIS anticipates a delay in completing your case. USCIS is committed to adjudicating immigration benefits in the order received and in a timely and efficient manner. We assure you that we are working to complete adjudication of your application as quickly as available resources allow. If you have not received notice of further action within 90 days of this response, please feel free to submit a new request to the USCIS Contact Center for additional assistance.



Dear JULIENNE NMN LUBIN,

Thank you for your inquiry dated April 25, 2024.

We are pleased we could assist you with your inquiry today via telephone. As discussed in our conversation, we have determined that this issue will best be addressed by your local USCIS Field Office.

We scheduled an appointment for you at the:

Oakland Park Field Office

on April 29, 2024 at 8:00 AM

The Oakland Park Field Office is located at:

4451 NW 31ST AVENUE

Oakland Park, FL 33309, US.

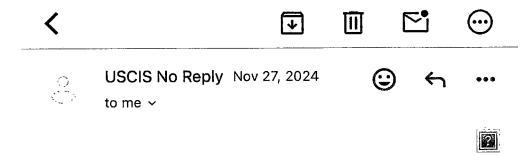
If you need to reschedule or cancel your appointment, please call the USCIS Contact Center at 1-800-375-5283 (TTY 1-800-767-1833).

Please bring to the appointment the following documents:

- Your Appointment Notice which can be printed on our website at https://my.uscis.gov/en/appointment/v2;
- Proof of eligibility (evidence of current status or pending application);
- Proof of the emergency (If document is in any language other than English, it must be accompanied by a Certified English Translation);

Lightian for Traval

- Valid Passport;
- · 2 Passport style photos;
- Proof of residence; and



Dear JULIENNE,

This email is to confirm the USCIS Contact Center received your inquiry. This inquiry is regarding:

Contact Name: JULIENNE

Service Item Number: 36011712

Inquiry Issue: Case Status

Receipt Number: IOE0913955868

Email for Contact: juliennelubin09@gmail.com

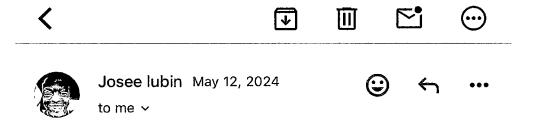
Phone Number to Contact: 7543089677

Inquiry Received Date: 10/28/2024

The USCIS Contact Center has a response time goal of 30 days based on your Issue. There is no need to contact us again regarding this inquiry and will respond to your inquiry as soon as we are able.

You may receive a response by email, or we may need to call you for additional information.

If you would like more information about how we respond to your inquiry, have general questions, and would like to access our online tools, please visit our USCIS Contact Center web page, www.uscis.gov/contactcenter.



----- Forwarded message ------

From: USCIS No Reply <no-reply@uscis.dhs.gov>

Date: Sat, May 11, 2024 at 1:16 PM Subject: Update on Inquiry 33132764

To: josuelubin@gmail.com <josuelubin@gmail.com>



Dear JOSUE,

This email is to confirm the USCIS Contact Center received your inquiry. This inquiry is regarding:

Contact Name: JOSUE

Service Item Number: 33132764

Inquiry Issue: ONPT

Receipt Number: IOE0913955869

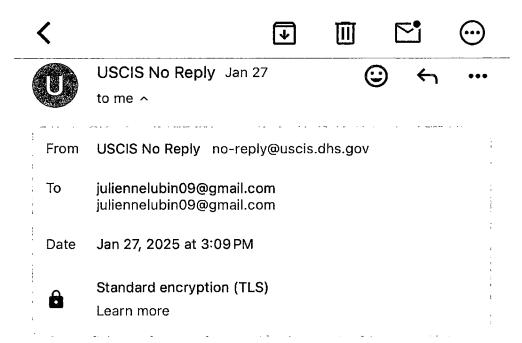
Email for Contact: josuelubin@gmail.com

Phone Number to Contact:

Inquiry Received Date: 4/11/2024

The USCIS Contact Center has a response time goal of 30 days based on your Issue. There is no need to contact us again regarding this inquiry and will respond to your inquiry as soon as we are able.

You may receive a response by email, or we may need to call you for additional information.





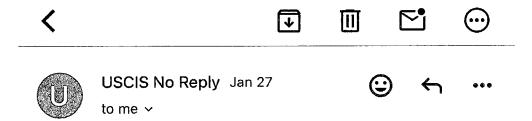
Dear JOSUE LUBIN,

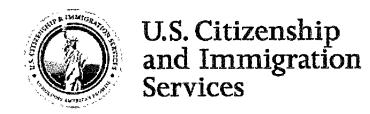
Thank you for your inquiry dated January 26, 2025.

We regret to inform you that the email address you provide in your request, is not linked to a USCIS online account. Please be sure to provide the original email address you used to set up your USCIS online account, when resubmitting your request at my.uscis.gov/account/v1/needhelp.

If you haven't done so already, visit myaccount.uscis.gov to sign up for a USCIS online account where you can explore filing online, send us secure messages through your account inbox and get instant updates on the status of your case. If you have any other questions, please visit the USCIS Contact Center, where you can access our online tools 24/7.

If you move, you must update your address in the <u>USCIS online account</u> within 10 days, or you can download Form AR-11, Alien's Change of Address Card at uscis government a paper





Dear JULIENNE LUBIN,

Thank you for your inquiry dated January 27, 2025.

We regret the time it is taking to process your application. USCIS records show that the processing of this case has been delayed because the required USCIS review is still in process. Until the required review is completed, this agency cannot move forward on this case.

Please understand that the review is part of the process for adjudicating cases of a similar nature. While an exact date for completion of the review is not known at this time, USCIS will make every effort to make a decision on your case as soon as the review is completed.

We appreciate your continued patience and understanding.

If you haven't done so already, visit myaccount.uscis.gov to sign up for a USCIS online account where you can explore filing online, send us secure messages through your account inbox and get instant updates on the status of your case. If you have any other questions, please visit the USCIS Contact Center, where you can access our online tools 24/7.

If you move, you must update your address in the USCIS online account within 10 days, or you can









Urgent Request for Assistance – Green Card Delay Beyond Processing Time





me Jan 31 to cisombudsman ~





Dear Ombudsman,

CIS number 20250149112

I am writing to seek urgent assistance regarding the processing of my I-485 Adjustment of Status application. My husband filed my petition in October 2021, and for over three years, I have been waiting in limbo, desperately hoping for a resolution. My receipt numbers are IOE0913955868 and IOE0913955869.

Throughout this prolonged wait, I have exhausted every possible avenue to get an update on my case. I have called USCIS countless times, only to be told that my case is still "under review." Each time, I receive the same vague response, with no real explanation for the delay. I have uploaded new supporting evidence, hoping it would help move things forward, yet nothing has changed. I have repeatedly requested to speak to a USCIS supervisor, but my requests have gone unanswered. I also submitted an expedite request due to my father's serious illness, explaining the urgency and hardship this delay is causing my family. Unfortunately, my request was denied without clear reasoning. My case is now far past the normal processing time for the Oakland field office, yet I remain stuck in uncertainty. The emotional toll of this delay is overwhelming. Every day, I live with the fear of what might happen will I suddenly receive a notice of denial? Will I be forced to leave my husband, my home, and the life I have built in this country? The stress and anxiety are ع ا ها ه ۲ ت د تا ت ۰۰۰









submitted an expedite request due to my father's serious illness, explaining the urgency and hardship this delay is causing my family. Unfortunately, my request was denied without clear reasoning. My case is now far past the normal processing time for the Oakland field office, yet I remain stuck in uncertainty. The emotional toll of this delay is overwhelming. Every day, I live with the fear of what might happen—will I suddenly receive a notice of denial? Will I be forced to leave my husband, my home, and the life I have built in this country? The stress and anxiety are unbearable.

I feel completely helpless and forgotten in this system. I have done everything asked of me—filed my paperwork correctly, submitted evidence, followed up repeatedly—yet USCIS has failed to act on my case. The lack of transparency and accountability in this process is deeply frustrating, and I am pleading for intervention.

I kindly ask your office to investigate my case and help push for a decision. I am not asking for any special treatment—just a fair and timely resolution. Three years is far too long to wait in uncertainty about my future. Please help me find answers.

Thank you for your time and consideration. I truly appreciate any assistance your office can provide.

Sincerely,

Julienne Lubin











FW: 119-37390903 - JULIENNE

LUBIN Inbox





Forestal, Edith Feb 11 to me ~





•••

Edith Forestal

Case worker

Congresswoman Sheila Cherfilus-McCormick (FL-20)

District Office: (954) 733-2800

5701 NW 88th Avenue, Suite 200

Tamarac, FL 33321





From: STARS Congressional

<starscongressional@uscis.dhs.gov>

Sent: Friday, February 7, 2025 11:13 AM

To: Forestal, Edith Forestal@mail-house.gov>



<starscongressional@uscis.dhs.gov>

Sent: Friday, February 7, 2025 11:13 AM

To: Forestal, Edith < Edith. Forestal@mail.house.gov >

Subject: 119-37390903 - JULIENNE LUBIN

Good morning,

Thank you for your inquiry, dated February 3, 2025 on behalf of your constituent, JULIENNE NMN LUBIN, regarding HER pending form I-485 Permanent Residence/Adjust Status (Family).

As a part of a greater eligibility determination, U.S. Citizenship and Immigration Services (USCIS) conducts background and security checks on applicants and certain petitioners for immigration benefits. These checks are necessary to ensure United States national security and public safety interests. In some cases, the results of these checks require USCIS to perform additional inquiries or consult with other government agencies. When this is necessary, there is often some delay in resolving the checks, and it is difficult to predict when resolution will be completed. Please be assured that this case has not been overlooked. Once all checks are resolved, the PETITION will be adjudicated and your constituent will be notified of the decision.

Case status may be monitored online at https://egov.uscis.gov/.

We respectfully request you allow at least 120 days from the date of this email before following up on the status of the case. When necessary, if submitting a follow-up inquiry, please send it to us directly via our web portal at https://www.uscis.gov/congress/congressional-web-portal/. Please make sure to select Office of Legislative Affairs (OLA) Office; Oakland Park Field Office currently processing the case to avoid a delayed response.

COMMITTEE ON EDUCATION AND LABOR

CHERFILUS-MCCORMICK

20th District, Florida

COMMITTEE ON VETERANS AFFAIRS

242 CANNON HOUSE OFFICE BUILDING WASHINGTON, DC 20515 (202) 225-1313

> 5725 CORFORATE WAY SUITE 208 WEST PALM BEACH, FL 33407 (561) 461-6767

> > 5701 NW 88TH AVENUE SUITE 200 TAMARAC, FL 33321 (954) 733-2800



Congress of the United States

House of Representatives Washington, DC 20515

IMMIGRATION PRIVACY RELEASE FORM

**For Immigration Inquires Only **

Pursuant of the Privacy Act of 1974 (5 U.S.C. § 522a), I hereby authorize appropriate USCIS to release
information about me and relevant to this inquiry to the Office of the 20th Congressional District of Florida.
Name Julienne Lubin
Address 3610 00021 Street (apt //4)
City Lauderdale Lakes State 1/2 Zip Code: 33311
Contact: Home
Work
Cell 754-308-9677
Email Wiennelabin Og@gnalcom
Please state the problem: (attach additional sheets if necessary)
My husband apple submitted my
green card app on October, 2021, Sine
I then I have yet to accioused it the
called counties amount of time and
its been under review for almost
4 yecrs
Date of Birth OU/16/1989 Country of Birth Sanamas
Are you a Veteran? Yes / No If Yes, Veterans Number
Are you a Citizen? Yes / No If No, Alien Number #123 524 454

(Continue on Reverse)
USCIS receipt number or tracking number (No Social Security Numbers) <u>TOE913955868</u>
USCIS receipt number or tracking number (No Social Security Numbers) TOE 913955868 Date of Filing 10/21/2021 Place of Filing Oakland park office
Form type(s)- Circle all that apply:
G-639 I-90 I-129 I-129F (I-130) I-131 I-140 I-212 I-290B I-360 (I-485) I-539
I-589 I-590 I-600A I-600 I-601 I-612 I-690 I-730 I-751 I-765 I-821 I-824 I-829
I-914 (Supplement A, B, or C) I-918 I-924 I-929 N-400 N-600 N-565 N-644 Other
Section below to be completed by the person who is the subject of the records:
I certify, under penalty of perjury, that 1) I provide or authorized all of the in this privacy release
and any document submitted with it; 2) I reviewed and understand all of the information
contained in my privacy release and submitted with it; and 3) all of this information is complete,
I, (print your name) (with the substitution of
information contained in my USCIS records as relevant to checking my case status, and to the

extent permitted by law, to the Office of the 20th Congressional District of Florida.

Signature (Signed in ink)



From: STARS Congressional

<starscongressional@uscis.dhs.gov>

Sent: Friday, February 7, 2025 11:13 AM

To: Forestal, Edith < Edith. Forestal@mail.house.gov >

Subject: 119-37390903 - JULIENNE LUBIN

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Office: Oakland Park Field Office currently processing



from the date of this email before following up on the status of the case. When necessary, if submitting a follow-up inquiry, please send it to us directly via our web portal at https://www.uscis.gov/congress/congressional-web-portal/. Please make sure to select Office of Legislative Affairs (OLA) Office; Oakland Park Field Office currently processing the case to avoid a delayed response.

We hope this information is helpful. If we may be of further assistance, please let us know.

Sincerely,

Katherine De Los Reyes

Congressional Liaison

Oakland Park Field Office

U.S. Citizenship and Immigration Services

Department of Homeland Security

oklconginq@uscis.dhs.gov

Please visit www.uscis.gov/congress for contact information of congressional liaisons, ways to inquire about a case status, and a variety of other resources. For all case specific inquiries, please include a privacy release signed by the subject of the records. Please do NOT include any Social Security numbers on the privacy release.

This email (including any attachments) is intended for the use of the individual or entity to which it is addressed. The information in the e-mail may be sensitive or otherwise protected by applicable law. If you are not the intended recipient, please notify the sender and delete all copies.

ref:_00DG0hO5S._500SJ00000NPzeA:ref